

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Andrew T. Archer, Esquire
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West Berlin, NJ 08091
(856) 963-5000
Attorney for Debtor(s)

In Re:
TIMOTHY M. MYERS



Order Filed on January 10, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 22-12461 ABA


Chapter: 13

Judge: ABA

**ORDER ON MOTION TO REOPEN CHAPTER 13 BANKRUPTCY AND
VACATE DISMISSAL OF CASE**

The relief set forth on the following page is hereby **ORDERED**.

DATED: January 10, 2023



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

The debtor having filed a motion to vacate dismissal of case; and the court having considered any objections filed; and for good cause shown; it is

☒ ORDERED that the motion is granted. The case is reopened and the order dismissing case is vacated effective on the date of this Order.

No actions taken during the period this case was dismissed were subject to the automatic stay or other provisions of the Bankruptcy Code;

IT IS FURTHER ORDERED that any deadline unexpired at the time of dismissal is nullified and reset as follows. Creditors and/or parties in interest have:

1. until the original deadline fixed by the court to file a complaint to object to the debtor's discharge or dischargeability of certain debts, or 60 days from the date of this Order, whichever is later;

2. until the original deadline fixed by the court to file a proof of claim or required supplement, or 60 days from the date of this Order, whichever is later; and

3. until the original deadline fixed by the court to object to exemptions, or 30 days from the date of this Order, whichever is later.

IT IS FURTHER ORDERED that if the meeting of creditors has not been concluded, the debtor must contact the case trustee to schedule a new date for the meeting, and must provide 21 days' notice under Bankruptcy Rule 2002(a)(1) of the new date to all creditors and parties in interest.

IT IS FURTHER ORDERED that if this is a chapter 13 case, and the debtor's plan has not been confirmed, the confirmation hearing is rescheduled to February 22, 2023
at 10 am.

☐ ORDERED that the motion to vacate order dismissing case is denied.

IT IS FURTHER ORDERED that whether the motion is granted or denied, the debtor must, within 3 days of the date of this Order, serve all creditors and parties in interest with a copy of this Order and immediately thereafter file Local Form *Certification of Service*.

IT IS FURTHER ORDERED that the Debtor shall forward \$13,792.00 to the Chapter 13 Trustee within ten (10) days of the date of this Order.

IT IS FURTHER ORDERED that the Debtor shall provide to the Trustee within ten(10) days of this Order:

- a. Proof of payment for car from son and the corresponding contribution letter;
- b. Homeowners Insurance for Elm Avenue;
- c. Certification of Debtor for Snow Removal;
- d. License for Area 51 Lawn and Landscaping, LLC;
- e. Profit and Loss for Snow Removal dated 3/1/2021-2/28/2022;
- f. Amend Vol. Petition, Need # related to Chapter 11 case;
- g. Amend Schedule A/B, D, add 2017 Ford F-450, add Kubota property (not currently on Schedule B/C), add federal tax refund for 2021, add state refund for 2021
- h. Amend Schedule J (testified that Chapter 11 payment is \$3,000);
- i. Prove feasibility;
- j. Amend 122C-2 (correct vehicle payments which do not last sixty (60) months)
- k. File a modified plan to treat US HUD SPOC, treat IRS secured and priority POCs, treat Kubota Credit Corp, NJ secured and priority POC, and provide for step plan payment when various financed vehicles are paid off.

IT IS FURTHER ORDERED that Debtor shall submit all future payments to the Trustee via w/o or TFS;

IT IS FURTHER ORDERED that Debtor shall within fifteen (15) days file a motion to approve payment outside the Debtor's Chapter 13 plan to Internal Revenue Service and State of New Jersey;

IT IS FURTHER ORDERED that should Debtor fail to comply with the terms of this Order, Debtor's case shall be dismissed upon the receipt of certification by the Trustee of such non-compliance filed with the Court and served upon Debtor.

In re:
Timothy M. Myers
Debtor

Case No. 22-12461-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Jan 10, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 12, 2023:

Recip ID	Recipient Name and Address
db	+ Timothy M. Myers, 516 Elm Ave, Audubon, NJ 08106-2150

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 12, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 10, 2023 at the address(es) listed below:

Name	Email Address
Andrew Thomas Archer	on behalf of Debtor Timothy M. Myers aarcher@spillerarcherlaw.com bankruptcy@brennerlawoffice.com;mcdoherty_187750@ecf.courtdrive.com;R64966@notify.bestcase.com
David Fornal	on behalf of Creditor First Bank dfornal@maselliwarren.com
Denise E. Carlon	on behalf of Creditor Lakeview Loan Servicing LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor U.S. Bank National Association as Trustee for Asset Backed Securities Corporation Home Equity Loan Trust, Series NC 2006-HE2 Asset Backed Pass-Through Certificates, Series NC 2006-HE2 hkaplan@rasnj.com, kimwilson@raslg.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com

District/off: 0312-1

User: admin

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Total Noticed: 1

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Jennifer R. Gorchow

on behalf of Trustee Isabel C. Balboa jgorchow@standingtrustee.com

John R. Morton, Jr.

on behalf of Creditor Ford Motor Credit Company LLC ecfmail@mortoncraig.com mortoncraigecf@gmail.com

Kimberly A. Wilson

on behalf of Creditor U.S. Bank National Association as Trustee for Asset Backed Securities Corporation Home Equity Loan Trust, Series NC 2006-HE2 Asset Backed Pass-Through Certificates, Series NC 2006-HE2 k_wilsonlaw@comcast.net, courtdocs_kwlaw@comcast.net;kwlawoffices@gmail.com

Rebecca K. McDowell

on behalf of Creditor 1st Colonial Community Bank rmcdowell@slgcollect.com anovoa@slgcollect.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William H. Clunn, III

on behalf of Trustee Isabel C. Balboa wclunn@standingtrustee.com

TOTAL: 12